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SENATE BILL 2191

By Crowe

AN ACT to repeal Chapter 117 of the Private Acts of 1994, and all other acts amendatory thereto; to divide Carter County into school districts; and to provide for the number, election, and terms of the Carter County Board of Education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. . Chapter 117 of the Private Acts of 1994, and any other acts amendatory thereto, are repealed.

SECTION 2. Carter County shall be divided into eight (8) school districts of substantially equal population, which shall be identical to the county legislative body districts established by resolution of the county legislative body from time to time.

SECTION 3. The Carter County Board of Education (the "Board") shall consist of eight (8) members, with one member of the Board being elected by the qualified voters in each school district on a non-partisan basis. Board members shall be elected to staggered four-year terms so that every two (2) years the terms of one-half of the members of the Board shall expire.

SECTION 4. During the transition from seven (7) members to eight (8) members, all incumbent Board members shall remain on the Board until the expiration of their current terms.

The incumbent Board Members represent the 1st, 4th, 6th, and 8th School Districts and their terms shall expire September 1, 2004.

There shall be elected in the general election in August, 2002 four (4) persons who will be elected from the 2nd, 3rd, 5th, and 7th School Districts for four-year terms. Persons elected in the regular August general elections shall take office on September 1 following the election and shall serve until their successors are duly elected and qualified.

SECTION 5. The Board shall have the same powers, duties, privileges and qualifications as the Board of Education established pursuant to Title 49, Tennessee Code Annotated.

SECTION 6. If any provision of this Act or the application thereof to any person of circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provision or application and to that end the provisions of this act are declared to be severable.

SECTION 7. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Carter County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified to the Secretary of State.

SECTION 8. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect upon approval as provided in Section 7.